

# Global Immigration alert

March 2025

## United States

### New DHS registration requirement impacts certain Canadian nationals travelling to the United States

#### Executive summary

The Department of Homeland Security (DHS) has announced the release of a new registration form for certain foreign nationals to monitor compliance with statutory requirements for alien registration and fingerprinting provisions, which will have a significant impact on Canadian nationals travelling into the United States. Dual Canadian/U.S. citizens will not be impacted by this new requirement as long as they have evidence of their U.S. citizenship.

#### Background and analysis

The Interim Final Rule (IFR) announcing the new form is effective 11 April 2025, but states that foreign nationals may register using the revised G-325R Biographic Information (Registration) form immediately. The U.S. Citizenship and Immigration Services (USCIS) registration method requires creation of a profile on myUSCIS at <https://my.uscis.gov/>. Following submission of the G-325R and completion of a biometrics appointment (if required), "Proof of Alien Registration" will be available in the myUSCIS account, serving as evidence of registration. Detailed instructions are available on USCIS's [website](#).

The affected population includes all foreign nationals who are subject to the Immigration and Nationality Act (INA) registration requirements, currently unregistered, and present within the United States for 30 days or longer.

This group includes:

- Foreign nationals who entered the United States without inspection or were admitted temporarily and remained past the required departure date, if they do not already have a registration form and proof of registration
- Canadian citizen visitors who entered at land ports of entry and were not issued evidence of registration (Form I-94)
- A foreign national, whether previously registered or not, who turns 14 years old in the United States and therefore must register within 30 days after their 14<sup>th</sup> birthday

Proof of registration includes, but is not limited to:

- I-94, Arrival-Departure Record—Aliens admitted as nonimmigrants
- I-95, Crewmen's Landing Permit—Crewmen arriving by vessel or aircraft
- I-184, Alien Crewman Landing Permit and Identification Card—Crewmen arriving by vessel
- I-185, Nonresident Alien Canadian Border Crossing Card—Citizens of Canada or British subjects residing in Canada
- I-186, Nonresident Alien Mexican Border Crossing Card—Citizens of Mexico residing in Mexico
- I-551, Permanent Resident Card—Lawful permanent resident of the United States
- I-766, Employment Authorization Document (EAD)

Additionally, a valid, unexpired nonimmigrant DHS admission or parole stamp in a foreign passport constitutes evidence of registration.

As some entries from land borders and ports of entry are not recorded, Canadian citizens travelling to the United States should check <https://i94.cbp.dhs.gov/home> to review their current I-94 entry registration status. If there is no I-94 record relating to the relevant trip on the government website, then the individual should understand that registration will likely be required with USCIS if they will be present in the United States for 30 days or longer.

The registration form requests the following biographic information:

- Full name
- Date and place of birth
- Current address and contact information
- Date and place of entry into the United States
- Immigration status (if applicable)
- Criminal history (if applicable)

Foreign nationals who have previously registered already meet the requirement and do not need to re-register. This includes:

- Lawful permanent residents
- Paroled foreign nationals under INA 212(d)(5)
- Foreign nationals admitted to the U.S. as non-immigrants and were issued form I-94 or I-94W
- All foreign nationals present in the U.S. who were issued immigrant or non-immigrant visas prior to arrival
- Foreign nationals whom DHS has placed in removal proceedings
- Foreign nationals issued an EAD
- Foreign nationals who have applied for lawful permanent residence using Forms I-485, I-687, I-691, I-698, I-700, even if denied
- Foreign nationals who have been issued Border Crossing Cards

Further, registration is not required for individuals holding A or G visas or foreign nationals who are American Indians born in Canada and possessing at least 50% of American Indian heritage.

Failure or refusal to apply for registration or to be fingerprinted may result in a fine of up to \$5,000, imprisonment for up to six (6) months, or both. Additionally, fraudulent registration is grounds for deportation.

#### **Impact on Canadian citizens**

Canadian citizens who arrive in the United States for temporary stays are known as nonimmigrants and, when entering by air, are typically issued an electronic I-94 Arrival-Departure Record by the Customs and Border Protection (CBP) upon entry. This I-94 is available electronically only at: <https://i94.cbp.dhs.gov/home>. This I-94 record is sufficient proof that a person has met the new registration requirement, and we recommend individuals carry a physical printout with them at all times while in the United States.

By contrast, Canadian citizens who enter the United States at a land crossing are not typically issued an I-94 record. As a result, in order to comply with this new registration requirement, Canadian citizens in this situation who are staying beyond 30 days, will be required to follow the registration requirements outlined here. This is unique to Canadian citizens entering the U.S. as nonimmigrants by land as they are typically exempt from the issuance of I-94 records. All other foreign nationals, including Canadian Permanent Residents, entering the U.S. as nonimmigrants are issued with I-94 records upon entry, by land or air.

## What this means

The Alien Registration Form (G-325R) provides an additional online method for foreign nationals visiting or residing in the United States to comply with statutory registration requirements. Individuals who complete the registration process can avoid penalties and secure "Proof of Alien Registration."

Canadian citizens in particular should be aware of the registration requirements if they will travel to the United States for trips or visits that meet or exceed the 30-day threshold.

Those who have previously registered already meet the requirement and do not need to re-register. Exempt individuals are not required to register but may do so voluntarily. All foreign nationals remain subject to ongoing change of address reporting requirements.

We will continue to monitor and share future developments. For additional information, or if you wish to discuss this further, please contact your EY Law LLP professional or Mehlman Jacobs LLP professional.

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